

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

WP(C).No. 25568 of 2015 (U)

PETITIONER(S):

**P.S.PHILIP,
ASSEMBLIES OF GOD, BATHEL HOUSE, KUMELY P.O.,
IDUKKI.**

BY ADV. SRI.S.MOHAMMED AL RAFI

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR, IDUKKI,
PIN-685 603.**
- 2. THE KUMILY GRAMA PANCHAYATH,
REPRESENTED BY SECRETARY, KUMILY P.O., IDUKKI,
PIN-685 509.**
- 3. THE VILLAGE OFFICER,
KUMILY, IDUKKI, PIN-685 509.**

**R1 & R3 BY GOVERNMENT PLEADER SRI.JIKKU JACOB
R2 BY ADVS. SRI.P.K.VIJAYAMOHANAN
SRI.NISHIL P.S.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 25568 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : TRUE COPY OF THE SALE DEED DT 3-10-2001 EXECUTED IN FAVOUR OF THE PETITIONER.

P2 : TRUE COPY OF THE ORDER NO.E1-18835/12 ISSUED BY THE 1ST RESPONDENT.

P3 : TRUE COPY OF THE ORDER NO.B3-1521/15, DT 10/6/15 ISSUED BY THE 2ND RESPONDENT.

P4 : TRUE COPY OF THE ORDER NO.102/15 DT 30-7-2015 ISSUED BY THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 25568 of 2015

Dated this the 2nd November, 2015

JUDGMENT

The petitioner is aggrieved by Exhibit P4 notice issued by the Village Officer, Kumily as per order of this Court. Exhibit P4 states that the petitioner is, illegally, without obtaining permission, using building No.7185 of Kumily Village in Sy.No.11/4-1 as a place of worship causing nuisance to the neighbouring residents.

The petitioner now comes seeking for a direction to the District Collector to consider his application for necessary permit. Therefore, this Court is of the view that if the petitioner approaches the first respondent District Collector with an application for using the building as a place of worship, the said application shall be considered and disposed of within one month from the date of receipt of such application. If the petitioner is granted permission, necessarily, Exhibit P4 shall be revoked.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs4/11/15